

FILED

September 14, 2021

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

United States Court of Appeals

FIFTH CIRCUIT
OFFICE OF THE CLERK

BY: MC
DEPUTY

LYLE W. CAYCE
CLERK

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September 14, 2021

Ms. Jeannette Clack
Western District of Texas, El Paso
United States District Court
525 Magoffin Avenue
Room 108
El Paso, TX 79901-0000

No. 20-50974 USA v. Aragones
USDC No. 3:18-CR-3544-1

Dear Ms. Clack,

Enclosed is a copy of the judgment issued as the mandate and a copy of the court's opinion.

Sincerely,

LYLE W. CAYCE, Clerk

Charles Whitney

By: Charles B. Whitney, Deputy Clerk
504-310-7679

cc:

Mr. Nelson Aragones
Mr. Joseph H. Gay Jr.

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

August 17, 2021

Lyle W. Cayce
Clerk

No. 20-50974
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

NELSON ARAGONES,

Defendant—Appellant.

Appeal from the United States District Court
for the Western District of Texas
USDC No. 3:18-CR-3544-1

Before JOLLY, WILLETT, and ENGELHARDT, *Circuit Judges.*

J U D G M E N T

This cause was considered on the record on appeal and the briefs on file.

IT IS ORDERED and ADJUDGED that the appeal is DISMISSED as frivolous.



Certified as a true copy and issued
as the mandate on Sep 14, 2021

Attest: *Lyle W. Cayce*
Clerk, U.S. Court of Appeals, Fifth Circuit

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

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August 17, 2021

Lyle W. Cayce
Clerk

No. 20-50974
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

NELSON ARAGONES,

Defendant—Appellant.

Appeal from the United States District Court
for the Western District of Texas
USDC No. 3:18-CR-3544-1

Before JOLLY, WILLETT, and ENGELHARDT, *Circuit Judges.*

PER CURIAM:*

The Federal Public Defender appointed to represent Nelson Aragonés has moved for leave to withdraw and has filed a brief in accordance with *Anders v. California*, 386 U.S. 738 (1967), and *United States v. Flores*, 632 F.3d 229 (5th Cir. 2011). Aragonés has filed a response. The record is not

* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

No. 20-50974

sufficiently developed to allow us to make a fair evaluation of Aragoness's claim of ineffective assistance of counsel; we therefore decline to consider the claim without prejudice to collateral review. *See United States v. Isgar*, 739 F.3d 829, 841 (5th Cir. 2014).

We have reviewed counsel's brief and the relevant portions of the record reflected therein, as well as Aragoness's response. We concur with counsel's assessment that the appeal presents no nonfrivolous issue for appellate review. Accordingly, the motion for leave to withdraw is GRANTED, counsel is excused from further responsibilities herein, and the APPEAL IS DISMISSED. *See* 5TH CIR. R. 42.2.